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LB 1234

remarks. I would try to answer any questions, Mr. President.

SENATOR CUDABACK: You've heard the opening on AM3324 to LB 1234. We're open for discussion. Senator Beutler.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, I thought I'd try to give you a little background on this, because I'm sure that a number of you are wondering why we're fooling around with the Niobrara Council at all, because there already is a Niobrara Council. You may remember, we gave it a small amount of money a year or two ago. And that particular council was formed with an interlocal agreement among some counties and NRDs and other interested parties up there. And the National Park Service was using this council as the primary tool of their management plan. Well, then that process was called into question by several national environmental and park service conservation citizen groups. And they convinced a federal judge that in fact the delegation to the Niobrara Council of power, under the law, was an unlawful delegation of power, and furthermore, that they had to do some additional work on their environmental impact statement. So what that meant was that the council in its previous incarnation could not function and be approved by the federal court. And now the Park Service is in a position that they have to take a new plan back to the federal court, who must then approve or disapprove of the new management plan and the tools that are used to manage the Niobrara scenic river area. Well, the folks up there in that area, they wanted very strongly to reconstitute the council in as close a form as might be acceptable to the Park Service to continue to maximize the local control and to continue to have the council actually doing most of the management to the extent possible. And so what this bill does is to reconstitute the Niobrara Council. But if you look at the structure of the old council and the structure of this council, it's pretty much the same, except to the extent that we needed to change it to comport to a variety of requirements. Then, in addition, the one thing that we did in order to make it a council with some real management tools was to give it some zoning powers. And so those zoning powers were strictly limited to the scenic river corridor area, not beyond that. But it did give the council...that's the part that was hard for the locals. But the council itself, the people involved, and now with a year delay